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payable by the treasurer of the State upon warrant of the comptroller at such times and in such sums as may be authorized by the State board of health upon presentation of the proper voucher."

NOTE.—The act repealed and reenacted with amendments was one appropriating \$10,000 per annum for the expenses of the State board of health. (Editor.)

**Narcotic Drugs—Sale and Dispensing of. (Act, Chap. 473, Apr. 15, 1912.)**

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That chapter 607 of the acts of the General Assembly of Maryland of 1904, the same having been codified in the code of 1904 as section 237 of article 27, be, and the same is hereby, repealed and reenacted with amendments, so as to form four sections of said article 27, to be headed "Health—Narcotic drugs," and to be numbered 237, 237a, 237b, 237c, so as to read as follows:

**"HEALTH—NARCOTIC DRUGS.**

"237. It shall be unlawful for any person, firm, or corporation to furnish, sell, give away, or otherwise dispense any cocaine, eucaine, opium, morphine, heroin, chloral hydrate, or any salts or compounds of any of the foregoing substances, or any preparation or compound containing any of the foregoing substances or their salts or their compounds, except upon the original written order or prescription of a lawfully authorized practitioner of medicine, dentistry, or veterinary medicine, of good standing in his profession, not of intemperate habits or addicted to the use of any drugs; and any person violating any of the provisions of this section shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not more than \$1,000 or be imprisoned in the penitentiary of this State for not less than one year nor more than five years, or both, in the discretion of the court, for each offense: *Provided*, That the above provisions shall not apply to paregoric, laudanum, or to bona fide proprietary medicines containing codeine of not more than 2 grains of opium or not more than two-fifths a grain of morphine, or not more than one-fourth of heroin, or not more than 2 grains of chloral hydrate in 1 fluid ounce, or, if a solid preparation, in 1 avoirdupois ounce: *Provided, also*, That the above provisions shall not apply to preparations containing opium and recommended and sold in good faith for diarrhea and cholera, each bottle or package of which is accompanied by specific directions: *And provided further*, That nothing herein contained shall be construed to prohibit the sale of any said drugs by any licensed manufacturing pharmacists or chemists or wholesale or retail pharmacists or druggists to other licensed manufacturing pharmacists or chemists or wholesale or retail pharmacists or druggists, or to licensed manufacturing pharmacists or chemists, or wholesale or retail pharmacists, or to hospitals, colleges, scientific or public institutions, or to licensed physicians, dentists, or practitioners of veterinary medicine and surgery, nor to the use of any of the said drugs by any licensed physician, dentist, or practitioner of veterinary medicine or surgery in the regular course of his practice.

"237a. If any person except a licensed physician, dentist, or practitioner of veterinary medicine or surgery, manufacturing pharmacist or chemist or wholesale or retail pharmacist or druggist have in his possession cocaine, eucaine, opium, morphine, heroin, chloral hydrate, or any salts or compounds of any of the foregoing substances or their salts or compounds other than paregoric and laudanum or bona fide proprietary medicines containing codeine or not more than 2 grains of opium nor not more than two-fifths grain of morphine or not more than one-fourth grain of heroin or not more than 10 grains of chloral hydrate in one fluid ounce or if a solid preparation in one avoirdupois ounce, or any of them with intent to sell, give away or otherwise dispose of the same he shall be deemed guilty of a misdemeanor and punished by a fine of not more than \$1,000 or by confinement in the penitentiary of this State for not less than

one year nor more than five years or both in the discretion of the court, and possession of any of the above-enumerated drugs or mixtures thereof, except by a licensed physician, dentist, practitioner of veterinary medicine or surgery, manufacturing chemist or pharmacist, wholesale or retail pharmacist or druggist, or on the prescription of a licensed physician, dentist, or veterinarian in good standing in his profession not of intemperate habits and not addicted to the use of any drug, shall be prima facie evidence of an intent to sell, give away, or otherwise dispose of the same: *Provided*, That nothing herein contained shall be construed to apply to any hospital, college, or scientific or public institution.

"237b. It shall be unlawful for any practitioner of medicine or dentistry to furnish or prescribe for the use of any person any cocaine, heroin, alpha or beta eucaine, opium, morphine, chloral hydrate, or any salts or compounds of any of the foregoing substances or any preparation containing any of the foregoing substances or their salts or compounds except to such persons who are under his care and for whom he, in good faith, prescribed as necessary for their professional treatment; and no practitioner of veterinary medicine or surgery shall prescribe the same for the use of any human being. Any written order or prescription given or made by any practitioner of medicine, dentistry, or veterinary medicine or surgery in the course of his professional treatment shall be dated and shall contain the name of the person for whom prescribed, or if ordered by a practitioner of veterinary medicine or surgery shall state the kind of animal for which ordered and said prescription shall be signed by the person giving the prescription or order. Such written order or prescription shall be permanently retained on file by the person, firm, or corporation who shall compound or dispense the articles ordered or prescribed, and it shall not be again compounded or dispensed except upon the written order of the original prescriber for each and every subsequent compounding or dispensing. No copy or duplicate of such written order or prescription shall be made or delivered to any person, but the original shall at all times be open to inspection by the prescriber, the State's attorney for the county or Baltimore City or committee of the grand jury of the county or of Baltimore City in which said prescription was filled. Any person violating any of the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be fined not less than \$25 nor more than \$500, and may, in the discretion of the court, be confined in the county or city jail in addition to the said fine for a period of not exceeding one year.

"237c. It shall be the duty, under this act, of all judges of courts having criminal jurisdiction in this State, at every regular term thereof, to charge all regularly impaneled juries to diligently inquire into and investigate all cases of the violation of the provisions of this act and to make a true presentment of all persons guilty of such violations. It shall be the duty of the Maryland Board of Pharmacists, as well as all prosecuting officers, to cause the prosecution of all persons violating the provisions of this act. In any proceedings under the provisions of sections 237, 237a, 237b, and this section the charge may be brought against any and all of the members of a partnership, or against the directors or executive officials of a corporation, or against the agent of any person, partnership, or corporation."

SEC. 2. *And it is further enacted*, That all criminal proceedings pending or which may be hereafter instituted for offenses already committed shall be instituted, proceeded with, and prosecuted to final determination and judgment as if this act had not been passed.

SEC. 3. *And be it further enacted*, That all laws and parts of laws in conflict with this act are hereby repealed.